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Security Council Committee established pursuant to resolution 1540 (2004)

Letter dated 1 February 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Chairman of the Committee

With reference to your letter dated 17 October 2007, I have the honour to transmit herewith the additional information and clarifications requested by the Security Council Committee established pursuant to resolution 1540 (2004) (see annex).

Attached is updated information on the national report submitted to the Committee with our note verbale dated 1 November 2004 and the follow-up report dated 16 January 2006.

I would like to take this opportunity to assure you that Turkey stands ready to provide any further information that might be requested and looks forward to continuing its cooperative and transparent dialogue with the Committee.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

10-47564 (E) 130810

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Annex to the letter dated 1 February 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Chairman of the Committee

Second addendum to the national report of the Republic of Turkey on the implementation of Security Council resolution 1540 (2004)

The steps taken by the Government of Turkey in implementing the provisions of operative paragraphs 1, 2 and 3 of Security Council resolution 1540 (2004) were presented in the national report of Turkey dated 1 November 2004, submitted to the Security Council Committee established pursuant to resolution 1540 (2004). Turkey provided an update on its national report on 16 January 2006. This report and the enclosed matrix is a further addendum providing the latest changes and additions within the legal framework of the export control systems and activities related to disarmament and non-proliferation, concerning the implementation of resolutions 1540 (2004) and 1673 (2006).

Turkey continues to support global, overall disarmament and supports all efforts aimed at preserving international security through arms control, non-proliferation and disarmament. The proliferation of weapons of mass destruction and their means of delivery continues to be a matter of serious concern for Turkey, which does not possess any such weapons. Arms control, non-proliferation and disarmament are hence important elements of Turkey's national security policy. Turkey continues to provide its contributions to the efforts of the international community to prevent proliferation of weapons of mass destruction through bilateral, regional and international initiatives such as the Proliferation Security Initiative and others.

Turkey is party to all relevant international non-proliferation instruments and export control regimes and wishes to see the universalization and effective implementation of these instruments. Turkey is also party to 12 United Nations Conventions concerning terrorism and has signed the International Convention for the Suppression of Acts of Nuclear Terrorism. Additionally, Turkey has signed the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material, as well as the Protocol of 2005 to the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol of 2005 for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf. The ratification processes of the aforementioned Conventions and Protocols are presently under way. Additionally, Turkey has recently signed a declaration of intent to implement the 2005 World Customs Organization Framework of Standards to Secure and Facilitate Global Trade.

On 14 December 2006, the Turkish Grand National Assembly adopted Law No. 5564 on the prohibition of the development, production, stockpiling and use of chemical weapons. This law, which entered into force late in 2006, addresses the "prohibition" associated with operative paragraph 2 of resolution 1540 (2004).

In a similar vein, Law No. 5564 on the prohibition of the development, production, stockpiling and use of chemical weapons contains "enforcement" provisions, as envisaged in operative paragraphs 3 (a) and (b) of resolution 1540 (2004).

In addition, Anti-Smuggling Code No. 5607, dated 29 March 2007, and Act No. 3713 to Fight Terrorism, dated 12 April 1991, also contain provisions in compliance with operative paragraphs 2 and 3 of the resolution. Likewise, Convention No. 1766 on the Adoption of Biological and Toxin Weapons Convention addresses the "prohibition" associated with operative paragraph 2 of the resolution.

Turkish Atomic Energy Authority (TAEA) Act No. 2690, the TAEA Regulations on Accounting for and Control of Nuclear Materials and on the Regulation of Measures for the Physical Protection of Special Nuclear Materials, as well as other decrees and regulations related to this Act, address operative paragraphs 3 (a) and (b) of resolution 1540 (2004).

The Customs Laboratories of the Under-secretariat of Customs are available to provide technical support of border control measures, as per operative paragraph 3 (c) of the resolution. The Customs Laboratories function within the framework of cooperation between Turkish Customs Authority and the Ministry of Health. The laboratories and other facilities of the Ministry of Health may also be utilized when deemed necessary for this purpose.

Moreover, there are several other national legislations that address the resolution's operative paragraphs 3 (c) and (d), including Law No. 6968 on agricultural rehabilitation and agricultural quarantine, Road Transport Code No. 4925, Under-secretariat for Foreign Trade (UFT) communiqué 2007/21 on the items subject to import authorization by the Ministry of Agriculture and Rural Affairs and UFT communiqué 2007/20 on the items subject to import authorization by the Ministry of Health.

Other new measures for implementation of the resolution's operative paragraphs 2, 6 and 10 indicate that Turkey controls the means of delivery-related goods and technology through the Missile Control Technology Regime list and guidelines, and end-user controls are now standard procedure for the licensing process.

TAEA has lists for nuclear and nuclear-related dual-use goods and technology, as envisaged in operative paragraphs 6, 7 and 8 of resolution 1540 (2004). The web page run by the Istanbul Mineral and Metal Exporters' Association (IMMIB) provides information on the export control legislation to exporters on a regular basis.

We expect that these new updates and additions, reflected in the relevant sections of the attached matrix,[a] will enhance the scope and effectiveness of the measures taken by Turkey within the framework of Security Council resolutions 1540 (2004) and 1673 (2006).

[a] The matrix mentioned in the present report was transmitted to the Secretariat and may be consulted at the Security Council Subsidiary Organs Branch.